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FISCAL IMPACT STATEMENT

LS 7494

BILL NUMBER: SB 361

NOTE PREPARED: Jan 9, 2003

BILL AMENDED:

SUBJECT: Breeding and Hunting Wild Animals.

FIRST AUTHOR: Sen. Waterman

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill amends animal breeder's license requirements. It removes swamp rabbits from the list of animals that do not require a breeder's license. The bill also provides that game birds but not exotic mammals may be hunted at shooting preserves.

The bill amends requirements to operate a shooting preserve. It amends prohibited hunting activities concerning game birds and exotic mammals to prohibit: (1) a person from shooting a confined animal; or (2) engaging in a transaction with a wild or exotic animal for the purpose of injuring or killing the animal for amusement or profit.

The bill adds exceptions to prohibited activities. It also removes laws concerning: (1) penalty for importing a carnivore; and (2) adoption of prohibited hunting activity rules.

Effective Date: July 1, 2003.

Explanation of State Expenditures:

Explanation of State Revenues: This bill proposes that a person holding a breeders license may not breed exotic carnivores. The bill also proposes that exotic mammals may not be hunted at shooting preserves. The provisions could potentially lead to fewer licenses purchased if fewer types of animals may be used for breeding or used in shooting preserves. If the provisions were to decrease the number of breeders licenses or private shooting preserve licenses sold, revenue to the Fish and Wildlife Fund would decrease. The Division of Fish and Wildlife charges \$15 for an annual game breeders license and \$100 for an annual private shooting preserve license.

This bill also provides that a person may not: kill or wound a wild animal that is confined in an artificial enclosure; or possess, transport, propagate, sell, purchase, or transfer a wild animal for the purpose of injuring or killing the animal or exotic mammal for amusement, sport, or profit. The penalty for violating this provision is a Class A misdemeanor. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class A misdemeanor is \$5,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: *Penalty Provision* - A Class A misdemeanor is punishable by up to one year in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *Penalty Provision* - If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Division of Fish and Wildlife, Department of Natural Resources.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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